

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM CALDWELL,

Plaintiff,

v.

Case No. 1:05-cv-745
HON. ROBERT HOLMES BELL

S. OCKERT, et al.,

Defendants.

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**ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #36) is approved and adopted as the opinion of the Court.
2. Defendants' motion for summary judgment (Docket #16) is GRANTED and this case is DISMISSED in its entirety. Plaintiff's motion to strike (Docket #29) and motion for leave to file second amended complaint (Docket #21) are DENIED.
3. The Court can discern no good-faith basis for an appeal. Accordingly, an appeal of this action would not be taken in good faith.

Date: November 20, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE